



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*86 Chambers Street, 3rd Floor  
New York, New York 10007*

June 13, 2018

**By ECF**

The Honorable Valerie Caproni  
United States District Judge  
United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: United States v. Riverbay Corporation, 15 Civ. 4180 (VEC)

Dear Judge Caproni:

I write respectfully on behalf of both parties to provide a joint status report regarding the Consent Decree and Order, entered on June 2, 2015. *See* Docket No. 4.

Pursuant to the Consent Decree, defendant Riverbay Corporation (“Riverbay”) shall provide to the United States quarterly reports outlining its compliance with the Consent Decree. *See id.* at ¶ 30. Accordingly, since the parties entered into the Consent Decree, Riverbay has timely provided the Government with such quarterly reports demonstrating its continued compliance with the terms of the Consent Decree. In addition, pursuant to paragraph 12 of the Consent Decree, the Government conducted a comprehensive investigation into the claims of allegedly aggrieved persons to determine (a) which persons are aggrieved and (b) an appropriate amount of damages that should be paid to each person. *See id.* at ¶ 12. On April 19, 2018, and pursuant to the Consent Decree, the Government informed “the Defendant in writing of each of its determinations, together with a copy of a sworn declaration from each aggrieved person setting forth the factual basis of the claim.” *Id.*

By July 2, 2018, Riverbay will inform the Government whether it disputes the amount of, or entitlement to, a payment to an aggrieved person;<sup>1</sup> in the event the parties cannot reach agreement, Riverbay may file an objection with the Court. *See id.* at ¶ 13.

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<sup>1</sup> While the Consent Decree provides that Riverbay shall inform the Government of any dispute within fifteen days after receiving the Government’s determination, Riverbay requested and the Government consented to an extension of time, to July 2, 2018, as also provided in the Consent Decree. *See id.* at ¶ 13

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Should the parties not reach agreement, the parties will submit a joint letter to the Court by July 31, 2018, proposing a briefing schedule regarding Riverbay's objection(s) to the Government's determinations.

We thank the Court for its consideration of this submission.

Respectfully,

GEOFFREY S. BERMAN  
United States Attorney

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